

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

SHARON PATERSON / SHERRY'S DAYCARE, SP 2014-SU-214 Appl. under Sect(s). 3-803 and 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 6369 Generals Ct., Centreville, 20121, on approx. 2,325 sq. ft. of land zoned R-8 and WS. Sully District. Tax Map 65-2 ((9)) 104. Mr. Byers moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on May 13, 2015; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the land.
2. The zoning is R-8 and WS.
3. The area of the lot is 2,325 square feet.
4. The Board received a letter from Sequoia, the agent for Heritage Forest Homeowners Association Board of Directors, authorizing the two reserved parking spaces in front of the applicant's townhouse for pick-up and drop-off.
5. Several letters of support were received; none in objection.
6. The applicant has read, understands, and concurs to the proposed development conditions.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant, Sharon Paterson, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 6369 Generals Ct., and is not transferable to other land.
2. This special permit is granted only for the home child care use indicated on the plat entitled, "House Location Survey, Lot 104, Section 1, Heritage Estates," prepared by Larry N. Scartz, L.S., on July 19, 1995, as revised by Sharon Paterson through March 24, 2014, as qualified by these development conditions.

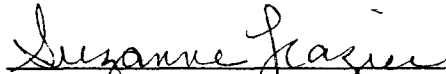
3. A copy of this Special Permit shall be posted in a conspicuous place on the property and be made available to all departments of the County of Fairfax during hours of operation.
4. The hours of operation of the home child care facility shall be limited to 7:00 a.m. to 5:45 p.m., Monday through Friday. The applicant shall continue to operate with her approved hours of operation (7:00 a.m. to 5:30 p.m.) until granted a revised license approving the requested hours of operation (7:00 a.m. to 5:45 p.m.).
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. Excluding the applicant's own children, the maximum number of children on site at any one time shall be twelve.
7. A maximum of two nonresident employees, whether paid or not for their services, may be involved in the home child care facility, limited to the hours of 7:00 a.m. to 6:00 p.m.
8. There shall be no signage associated with the home child care facility.
9. All drop-off and pick-up of children shall take place in the applicant's assigned parking spaces.
10. The approval of this use is contingent on the applicant's continued right to utilize community parking spaces or other common amenities necessary for the operation of the home child care facility, including the ability to utilize the HOA playground.
11. Any portions of the dwelling associated with the home child care facility that are used as a children's sleeping area shall be located in a room with proper emergency egress as defined by the Virginia Uniform Statewide Building Code.
12. The approval of the use is contingent upon maintenance of a state-issued family day home license that permits the number of children being cared for at the home child care facility.
13. All sheds shall be locked during the hours of operation of the home child care facility.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall take effect upon adoption of a resolution of approval by the Board of Zoning Appeals.

Mr. Hammack seconded the motion, which carried by a vote of 5-1. Mr. Beard voted against the motion. Mr. Smith was absent from the meeting.

A Copy Teste:

A handwritten signature in cursive script, reading "Suzanne Frazier", is written over a horizontal line.

Suzanne Frazier, Deputy Clerk
Board of Zoning Appeals